

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

LANDS – Ranga Reddy District – Request of the Rahulnagar Co-op. Housing Society Ltd for allotment of alternate Government land to their Society as compensation towards Ac. 34.00 of Residential plots land acquired at R.S. No. 268, 269 and 270 of Rampally Village, Keesara Mandal by the Government of Andhra Pradesh in the year 1985 – Rejected – Orders – Issued.

=====

REVENUE (ASN.V) DEPARTMENT

**G.O.Ms.No. 1714**

**Dated:12<sup>th</sup>,September,2011**

**Read the following:-**

- (1)Representation dated 15.12.2008 of Rahulnagar Co-op. Housing Society Ltd.
- (2)Government Memo. No.65272/Assn.V(1)/2008, dated 29.12.2008.
- (3)Representation dated 8.11.2010 from the President Rahulnagar Co-op. Housing Society Ltd.
- (4) Government Memo. No.65272/Assn.V(1)/2008, dated 10.11.2010.
- (5)Letter No.LC2/5156/92, dated 11.03.2011 of the District Collector – Ranga Reddy District.
- (6)Letter Ref. No. BB1/2369/2010, dated .04.2011 of the Special Chief Secretary and Chief Commissioner of Land Administration, AP-Hyderabad.

-:0:-

**ORDER :-**

In the reference 1<sup>st</sup> cited the President Rahulnagar Co-op Housing Society has made a representation stating that their land in Sy. Nos. 269 & 270 of Rampally Village, Keesara Mandal, Ranga Reddy District admeasuring Ac.34.28 gts was acquired by the Government of Andhra Pradesh under Land Acquisition Act during the year 1985 for expansion of LPG Unit in Cherlapalli Village of Hindustan Petroleum Corporation Limited. Whereas, the compensation amount paid to the wrong party in spite of their representation to the Mandal Revenue Officer's Report. Aggrieved by which, the Society when approached the Hon'ble High Court by filing W.P. No. 3295/1986 which was dismissed on 24.04.1988 and when preferred the W.A. No. 1829 of 1988, the Hon'ble High Court allowed the W.A. on 28.02.1992. But, the Government have not implemented the orders. The Society finally requested the Government to consider their case and sanction allotment of land to their Society as compensation towards Ac.44.00 of residential plots to their Members.

2. In the reference 5<sup>th</sup> read above the District Collector – Ranga Reddy has reported that the Senior Project Manager, Hindustan Petroleum Corporation Limited has submitted a requisition proposal for acquisition of land bearing Sy. No. 269 & 270 admeasuring Ac. 34.11 gts situated at Rampally Village, Keesara Mandal, Ranga Reddy District for expansion of LPG Plant of Cherlapally Village. Accordingly, land acquisitions proceedings were initiated and approved vide G.O. Ms. No. 712 and 714, I & C (INF) Deptt. Dt: 16.7.1985 and published the same in Gazette RR No.17, dated 2.8.1985. The Award has been passed by the RDO –East vide Proceedings in F/7919/1984, dated 5.2.1986. The possession of the land has been taken over by the requisitioning Department on 30.10.1985. Aggrieved by the award

(PTO)

passed by the LAO, the plot purchasers have formed a Society as Rahulnagar Co-operative Housing Society and filed W.P. claiming that they have purchased the plots. The said W.P. No. 3215 of 1986 was dismissed on 20.4.1988. When filed the W.A.No.1829 of 1988, the Hon'ble High Court allowed the Writ Appeal dated 28.8.1992 with the modifications as follows.

1. The concerned District Collector [ LAO] shall refer the dispute relating to the land in question u/s 18 of the L.A. Act to civil Courts within six weeks from the date of receipt of a copy of this order;
  2. The LAO shall deposit the entire compensation in question in the civil Court;
  3. The LAO shall recover the compensation from the persons to whom it has been paid.
3. Aggrieved by the said orders W.A.No.1829 of 1988 dated:28.8.1992, SLP has been filed by the Government, but the same has been dismissed vide SLA (Civil) 647 of 1996, dated 26.2.1996.
4. The District Collector – RR has further reported that as per the orders of the Hon'ble High Court, the MRO has been requested to recover compensation amount of Rs.21,55,112/- under the Revenue Recovery Act from the G.P.A. holder Sri T.Narayana Shetty and another, as the pattedar of the land namely P.Rajalinga Reddy and others have concealed the fact that they have already converted the land into plots and sold to various persons prior to initiating of land acquisition proceedings and by misrepresenting the facts and misleading the then RDO – East / LAO have managed to obtain the Award amount.
5. Whereas, the Rahulnagar Co-operative Housing Society Limited has filed a W.P. No.3866 of 2002 before the Hon'ble High Court of A.P. with a prayer to direct to provide alternative land in view of further actions of the respondents to offer alternative land in lieu of the compensation to be paid to the members of the Society and to implement the orders of the Hon'ble Court order dated 28.8.1992 in W.A. No. 1829/1988 as directed by the Hon'ble Court duly stipulating the time limit for such implementation with a further direction to release the compensation amount to the members of the Society as per their eligibility, with all consequential benefits. The Hon'ble High Court in its order dated 27.2.2008 in W.P. No. 3866 disposed of the W.P. with the following directions.
1. Respondents 1 to 3 shall take immediate steps for reference of the dispute under Section 18 of the Act, if not already done.
  2. The petitioners-Society shall be free to participate in the reference proceedings and seek enhancement of compensation; and
  3. Reference of dispute to Civil Court does not preclude the Government from allotting and the petitioners-Society from accepting the allotment of alternative land, if the Government chooses to make such allotment in favour of the Petitioner Society.
6. The District Collector – RR has further submitted that in compliance with the said orders of the Hon'ble High Court a Memo was issued to the petitioners on 31.3.2008 informing the petitioner society that the matter was already referred to the court of the District Sessions Judge, Ranga Reddy u/s 18 of the L.A. Act and amount of Rs.24,49,113/- was deposited in the Court through Cheque No. 282037, dated 20.01.2007.

(PTO)

7. In the reference 6<sup>th</sup> read above, the Special Chief Secretary and Chief Commissioner of Land Administration while reiterating the report of the District Collector Ranga Reddy has submitted that an amount of Rs.24,49,113/- is deposited in the Court and the applicant society was informed about reference made to the civil Court. Further, the members of applicant-society are entitled for compensation in accordance with law.

8. In the circumstances reported by the District Collector-Hyderabad and the Special Chief Secretary and the Chief Commissioner of Land Administration, Hyderabad and after careful examination of the matter, Government observe that having availed the remedy of compensation in for acquisition of land of members of applicant society, their request for allotment of alternate land is not tenable and accordingly, the request is hereby rejected.

9. The Special Chief Secretary and Chief Commissioner of Land Administration and the District Collector – Ranga Reddy shall take necessary further action in expending the matter which is pending before the District Sessions Judge, Ranga Reddy u/s 18 of the L.A. Act.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**ANIL CHANDRA PUNETHA**  
**PRINCIPAL SECRETARY TO GOVERNMENT**

To

The Spl.CS & Chief Commissioner of Land Administration, Hyderabad

The Collector, Ranga Reddy District

**Copy to :**

President Rahulnagar Co-operative Housing Society Ltd ., **through Collector Ranga Reddy District**  
SF/SCs.

**//FORWARDED::BY ORDER//**

**SECTION OFFICER**